

**REPORT OF THE
BOARD OF DIRECTORS OF THE
COOK COUNTY HEALTH AND HOSPITALS SYSTEM**

APRIL 9, 2009

ATTENDANCE

Present: Chairman Warren L. Batts, Vice Chairman Ramirez and Directors David A. Ansell, MD, MPH; Hon. Jerry Butler; David Carvalho; Quin R. Golden; Benn Greenspan, PhD, MPH, FACHE; Sister Sheila Lyne, RSM; Luis Muñoz, MD, MPH; and Heather E. O'Donnell, JD, LLM (10)

Absent: Director Andrea Zopp (1)

Also Present: Pitt Calkin – Interim Chief Financial Officer, Cook County Health and Hospitals System; Matthew B. DeLeon – Secretary to the Board of Commissioners of Cook County; William T. Foley – Chief Executive Officer (designate), Cook County Health and Hospitals System; Jeff McCutchan – Supervisor, Transactions and Health Law Division, Office of the State's Attorney; Elizabeth Reidy – Deputy Chief, Civil Actions Bureau, Office of the State's Attorney; David R. Small – Interim Chief Executive Officer, Cook County Health and Hospitals System; Robert Weinstein, MD – Chief Operating Officer, The Ruth M. Rothstein CORE Center of Cook County

Ladies and Gentlemen:

Your Board of Directors of the Cook County Health and Hospitals System met pursuant to notice on Thursday, April 9, 2009 at the hour of 7:30 A.M. at Stroger Hospital, 1901 W. Harrison Street, in the fifth floor conference room, in Chicago, Illinois.

Your Board of Directors has considered the following items and upon adoption of this report, the recommendations follow.

Matthew B. DeLeon, Secretary to the Board of Commissioners of Cook County, called the roll of members and it was determined that a quorum was present.

Chairman Batts stated that although Director Zopp was not physically present, there was a possibility that she would participate in the meeting telephonically.

Director Muñoz, seconded by Director Lyne, moved to allow Director Zopp to participate in the meeting telephonically as a voting member. THE MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS

Chairman Batts asked the Secretary to call upon the registered speakers.

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PUBLIC COMMENTS (continued)

The Secretary called upon the following registered public speakers:

- | | | |
|----|------------------------|--|
| 1. | Robert Cohen, MD | Chairman, Division of Pulmonary and Critical Care Medicine, John H. Stroger, Jr. Hospital of Cook County |
| 2. | Joel Africk
Chicago | President/CEO, Respiratory Health Association of Metropolitan |
| 3. | Pam McDonough | President/CEO, Alliance for Illinois Manufacturing |
| 4. | Valerie O'Donnell | President, Progressive Industries |
| 5. | Elliot El-Amin | Vice President of Sales, CE Services, LLC |
| 6. | Janice T. Johnson | Representative, Humanity for Housing |
| 7. | Donald High | President, Advanced Management Services Midwest |

During the testimony of Dr. Cohen, regarding a waiver for minority participation on a sole-source contract for unique pulmonary equipment, and Mr. Africk, regarding minority participation on an existing contract for the Healthy Lungs Initiative, it was recommended that further discussion on these issues should take place at the Finance Committee level.

APPROVAL OF THE MINUTES OF THE MEETING OF THE COOK COUNTY HEALTH
AND HOSPITALS SYSTEM BOARD OF DIRECTORS OF FRIDAY, MARCH 13, 2009 AT
7:30 A.M.

Director Greenspan, seconded by Director Golden, moved to approve the minutes of the meeting of the Cook County Health and Hospitals System Board of Directors of Friday, March 13, 2009 at 7:30 A.M. THE MOTION CARRIED UNANIMOUSLY.

REPORT FROM SYSTEM BOARD CHAIRMAN WARREN L. BATTS

Chairman Batts reported on the following subjects:

Presentation on CORE Center

Chairman Batts stated that Dr. Robert Weinstein, Chief Operating Officer of the Ruth M. Rothstein CORE Center of Cook County, would be presenting a video on the CORE Center; due to technical difficulties it was determined that Dr. Weinstein would present the video at a future meeting of the Board.

Meeting with United States Senator Richard Durbin

Chairman Batts stated that he and William Foley, Chief Executive Officer (designate) of the Cook County Health and Hospitals System, met with Senator Durbin. Chairman Batts stated that the Senator was supportive, and offered suggestions on how to find more funding through stimulus funds and in Springfield.

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REPORT FROM THE SYSTEM INTERIM
CHIEF EXECUTIVE OFFICER DAVID R. SMALL

David Small, Interim Chief Executive Officer of the Cook County Health and Hospitals System, reported on the following subjects (Attachment #1).

May 6, 2009 Meeting of the Finance Committee of the Cook County Board of Commissioners regarding capital equipment items

Update on the project to upgrade the Cerner applications

COMMITTEE REPORT

Quality and Patient Safety Committee.....Meeting of 3-18-09*

* note: Medical Staff Appointments/Re-appointments/Changes, as amended, were approved by the Quality and Patient Safety Committee at this meeting.

Director Ansell, seconded by Director Lyne, moved to approve the Report of the Quality and Patient Safety Committee for the meeting of March 18, 2009. THE MOTION CARRIED UNANIMOUSLY.

COMMITTEE REPORT

Finance Committee.....Meeting of 3-20-09*

* note: the following were approved by the Finance Committee at this meeting: Contracts and Procurement Items, as amended; a request to amend a previously approved contract amendment; and a real estate matter.

Director Carvalho, seconded by Director Lyne, moved to approve the Report of the Finance Committee for the meeting of March 20, 2009. THE MOTION CARRIED.

Director Ansell recused himself and voted PRESENT on request number 24 under the Contracts and Procurement Items contained in the Report of the Finance Committee of March 20, 2009.

Director Carvalho recused himself and voted PRESENT on request numbers 1, 2, 3, 4, and 5 under the Contracts and Procurement Items contained in the Report of the Finance Committee of March 20, 2009.

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COMMITTEE REPORT

Human Resources Committee.....Meeting of 4-03-09

Director Carvalho, seconded by Vice Chairman Ramirez, moved to approve the Report of the Human Resources Committee for the meeting of April 3, 2009. THE MOTION CARRIED UNANIMOUSLY.

COMMITTEE REPORT

Finance Committee.....Meeting of 4-03-09*

* note: the following were approved by the Finance Committee at this meeting: Contracts and Procurement Items, as amended; a request to enter into a contract for strategic planning and consulting services; and a new Intergovernmental Transfer Agreement.

Director Carvalho, seconded by Director Lyne, moved to approve the Report of the Finance Committee for the meeting of April 3, 2009.

Director Carvalho stated that request number 7, under the Contracts and Procurements items, was a bill and claim for the provision of professional service fees for MedAssets in the amount of \$937,491.00. The Finance Committee's approval of the item was conditional, subject to review by System Internal Audit staff. This review has taken place, and there are no further conditions remaining .

Pitt Calkin, Interim Chief Financial Officer of the Cook County Health and Hospitals System, stated that there was an addendum to the agreement with Integrated Clinical Solutions (Attachment #2), relating to public forums.

Director Carvalho, seconded by Director Lyne, moved to amend the Report of the Finance Committee for the meeting of April 3, 2009, to reflect that the "subject to" provision attached to the approval of the bill for MedAssets has been satisfied. THE MOTION CARRIED UNANIMOUSLY.

On the motion to approve the Report of the Finance Committee for the meeting of April 3, 2009, as amended, a voice vote was taken and THE MOTION CARRIED.

Director Carvalho recused himself and voted PRESENT on request numbers 4, 5, 6, 25, 27, and 28 under the Contracts and Procurement Items contained in the Report of the Finance Committee of April 3, 2009.

Director Greenspan recused himself and voted PRESENT on request number 24 under the Contracts and Procurement Items contained in the Report of the Finance Committee of April 3, 2009.

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CONSIDER AND APPROVE PROPOSED PROCUREMENT POLICY
FOR THE COOK COUNTY HEALTH AND HOSPITALS SYSTEM

Director Carvalho introduced the proposed Procurement Policy for the Cook County Health and Hospitals System (Attachment #3), and provided background on the efforts of those who participated in its drafting.

Elizabeth Reidy, Deputy Chief of the Civil Actions Bureau of the Office of the State's Attorney, provided additional information.

The Board reviewed and discussed the proposed policy.

Director Ansell, seconded by Director Muñoz, moved to approve the proposed Procurement Policy for the Cook County Health and Hospitals System. THE MOTION CARRIED UNANIMOUSLY.

UPDATE FROM AD HOC STRATEGIC PLANNING COMMITTEE

Director Golden provided an update on strategic planning efforts. She explained that there were five stages relating to strategic planning, beginning with a kickoff retreat.

The Board discussed the information provided, and discussed the possibility of having a retreat in mid-May. Chairman Batts requested that the members be polled on their availability for such purposes.

REPORT ON NEGOTIATIONS WITH THE U.S. DEPARTMENT OF JUSTICE REGARDING
THE COOK COUNTY DEPARTMENT OF CORRECTIONS AND CERMAK HEALTH SERVICES

DISCUSSION OF PERSONNEL MATTERS

Director Ansell, seconded by Director Lyne, moved to recess the regular session and convene into closed session, pursuant to an exception to the Illinois Open Meetings Act, 5 ILCS 120/2(c)(1), et seq., which permits closed meetings for consideration of "the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity," and pursuant to an exception to the Open Meetings Act, 5 ILCS 120/2(c)(11), which states: "litigation, when an action against, affecting or on behalf of the particular body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting". **THE MOTION CARRIED UNANIMOUSLY.**

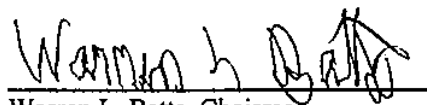
Director Greenspan, seconded by Director Lyne, moved to adjourn the closed session and convene into regular session. **THE MOTION CARRIED UNANIMOUSLY.**

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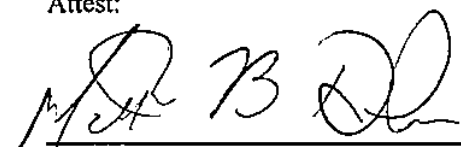
ADJOURNMENT

Director Lyne, seconded by Director Golden, moved to adjourn. THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED.

Respectfully submitted,
Board of Directors of the
Cook County Health and Hospitals System


Warren L. Batts, Chairman

Attest:


Matthew B. DeLeon, Secretary

Cook County Health and Hospitals System
Report of the Meeting of the Board of Directors
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ATTACHMENT #1

**Cook County Health and Hospitals System
Report from the Interim Chief Executive Officer
Board Meeting of April 9, 2009**

*Finance Committee of the Cook County Board of Commissioners will meet on May 6th @ 1:00 PM to review:

All outstanding, and previously approved capital equipment items from FY 2007 and FY 2008

All previously approved capital equipment items for FY 2009

In preparation, Pitt Calkin has scheduled a series of meetings over the next three weeks to review with requesting operating units/departments all of the items to determine if the equipment is still needed, what the levels of priority are for each requested purchase, and the previously prepared and filed justification documentation. The County Budget office will be supplying their lists of outstanding capital equipment requests for us review and reconcile to.

The final listing will be brought to the CCHHS Finance Committee for review and discussion at its meeting of May 1st.

*A list of the capital improvement projects for the CCHHS that were re-approved by the Cook County Board last week will be circulated next week to the System Board of Directors for your information.

*The project to upgrade our Cerner applications to the most current release version and the roll-out across our System is continues and is on track. The projected "Go live" dates are Sunday May 17th at Stroger, Oak Forest, and Cermak, and Sunday June 21st at Provident. Under the program that your Board approved, and with the help of our IT Partner ACS, we are acquiring all of the necessary equipment in support of this roll out such as the Computers on Wheels (COWs), printers, mobile devices, etc.

Additionally, again with your Board approval, Cerner has been contracted to supply 1,950 hours of specialized trainers so that physicians and nurses can be trained on the applications and new features.

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ATTACHMENT #2

I N T E G R A T E D C L I N I C A L S O L U T I O N S I N C .

10 South Riverside Plaza
60606

Suite 1800

Chicago, IL

April 3, 2009

Mr. William T. Foley
Chief Executive Officer
Cook County Health and Hospitals System
1900 West Polk Street
Suite 123
Chicago, IL 60612

Dear Bill:

Thanks for updating me regarding the System Board's discussion as it relates to moving forward with ICS in the strategic planning process. Pursuant to our conversation and as an addendum to our March 31 Letter of Understanding (LOU), I wish to confirm the following as it pertains to process scope:

- We understand the importance of having community input at key junctures in the process, and are highly supportive of the suggestion to expand on the number of Town Hall meetings beyond the 4-5 meetings as identified in our LOU. Accordingly, we will commit to facilitating an additional 4-5 meetings, and will do so within our original budget. (As we discussed, it may be determined that the number of meetings should be extended beyond even this expanded number, in which case we would be pleased to revise the scope of our agreement and/or work closely with your team to provide support in having your management team members lead the facilitation in certain instances as appropriate.)
- At the same time, we strongly support the suggestion that an interactive Website could serve to enhance communications with key stakeholders throughout the process. We will support the development of such a Website and the processing of information thereby obtained within our agreed-upon scope of effort.

Our team concurs that both of these initiatives will result in beneficial two-way communications between the System and its constituencies as the process evolves.

We are delighted to have this opportunity to serve Cook County Health and Hospitals System! I look forward to our meeting next Friday.

Sincerely,
INTEGRATED CLINICAL SOLUTIONS, INC.



John Abendshien

Cook County Health and Hospitals System
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ATTACHMENT #3

Proposed Cook County Health and Hospitals System
Procurement Policy

April 11, 2009

Cook County Health and Hospitals System
Procurement Policy

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Proposed Cook County Health and Hospitals System
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PREAMBLE

WHEREAS, the Cook County Health and Hospitals System ("System") makes health care services available to persons who reside in Cook County; and,

WHEREAS, one goal of the System is to obtain quality goods and services for its patients at the lowest reasonable cost while operating at the highest standards of ethical conduct; and,

WHEREAS, the System seeks to make Purchases in such a manner as to ensure the timely and appropriate procurement of supplies, materials, equipment and services; and,

WHEREAS, the System seeks to employ a transparent procurement process to ensure that authority, responsibility and accountability are clearly delineated to maximize the efficiency of operations; and,

WHEREAS, the System seeks to employ a procurement process that is consistent with the Cook County Code of Ordinances on Procurement and Contracts and other applicable County Ordinances yet allows for maximum flexibility.

THEREFORE, the Procurement Policy of the System shall be as follows:

PART I. GENERAL PROVISIONS

Section 1.1. Definitions.

Chief Executive Officer or CEO. The term "Chief Executive Officer" or "CEO" means the Chief Executive Officer of the Cook County Health and Hospitals System.

Contract. The term "Contract" shall include agreements, addenda, memoranda of understanding, and any other written document used to make purchases for the Cook County Health and Hospitals System.

County Board. The term "County Board" shall mean the Cook County Board of Commissioners.

Person. Unless the context indicates otherwise, the term "Person" means any individual, corporation, partnership, joint venture, trust, association, limited liability company,

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unincorporated business, individually owned business, sole proprietorship or similar type of organization or association.

Professional and Managerial Services. The term "Professional and Managerial Services" means a contract that falls under one of the following Cook County object/account codes, as set forth in the Cook County Annual Appropriation Bill: 260 - Professional and Managerial Services, 261 - Legal Fees Regarding Labor Matters, 262 - Legal Fees in Connection with Issuance of Tax Notes, 263 - Legal Fees, or 272 - Medical Consultation Services.

Purchase or Purchases. The term "Purchase" or "Purchases" means the expenditure of County funds to obtain supplies, materials, equipment or services.

System. The term "System" means the Cook County Health and Hospitals System.

System Affiliate or Affiliate. The term "System Affiliate" or "Affiliate" means the Ambulatory and Community Health Network, Cermak Health Services of Cook County, Cook County Department of Public Health, Oak Forest Hospital of Cook County, Provident Hospital of Cook County, Ruth M. Rothstein CORE Center, and John H. Stroger, Jr. Hospital of Cook County.

System Board. The term "System Board" means the Board of Directors of the Cook County Health and Hospitals System.

Section 1.2. Purchases.

All Purchases for the System shall be made as provided in this Policy and the procedures promulgated pursuant to this Policy. All Contracts for Purchases of supplies, material, equipment and non-Professional and Managerial Services of \$100,000.00 or more, or Contracts for Professional and Managerial Services of \$25,000.00 or more, shall be approved by the System Board and executed by the System's Chief Executive Officer and Chief Financial Officer. All other Purchases shall be approved by the Chief Executive Officer or his or her designee and executed as set forth in the procedures promulgated pursuant to this Policy; provided, however, all such Purchases shall require System Board approval in circumstances where the aggregate of expenditures by a System Affiliate to the same vendor for the same, or substantially the same, supplies, materials, equipment or non-Professional and Managerial Services within the same fiscal year equal a sum of \$100,000.00 or more, or \$25,000.00 or more for Purchases of Professional and Managerial Services.

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Section 1.3. Procurement Director.

There shall be a Procurement Director for the System appointed by the Chief Executive Officer and reporting to the Chief Financial Officer who shall be responsible for overseeing the System's procurement process.

Section 1.4. Powers and Duties of the Procurement Director.

The Procurement Director shall:

- (a) Ensure that Purchases required by the System shall be made pursuant to this Policy and any procedures promulgated pursuant hereto.
- (b) Establish and maintain procurement procedures and forms to implement this Policy and to ensure integration of the System's procurement process with the County's payment process.
- (c) Promulgate general conditions appropriate for the various purchase methods and types of Purchases.
- (d) Establish and enforce standard and nonstandard specifications which shall apply to all System Purchases.
- (e) Develop a procedure enabling vendors to receive notice of procurement opportunities by nature or type of goods or services.
- (f) Have authority to approve an amendment to a Contract; provided, however, that the total of such amendment(s) does not increase the amount of the Contract by more than \$1,000.00 or extend the Contract by more than thirty (30) days.
- (g) Require all vendors to submit a notarized certification or affidavit of their compliance with all requirements imposed by this Policy on forms promulgated by the Procurement Director, which shall include, but shall not be limited to:
 - (i) an affirmation that the vendor is a registered business in good standing with the State of Illinois and, in the case of a Contractor operating under an assumed name, with the County Clerk;
 - (ii) an affirmation of compliance with Section 34-130 (Taxes and Fees), Section 34-131 (Child Support) and Chapter 2, Article VII (Ethics), including Section 2-574 (Receiving and Soliciting Gifts and Favors), Section 2-585 (Limitations of

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Contributions to Candidates and Elected Officials), and the Cook County Human Rights Ordinance (ch. 42, Article II of the Cook County Code of Ordinances);

(iii) an affirmation of compliance with the Drug Free Workplace Act (30 ILCS 580/2-11) and the Illinois Human Rights Act (775 ILCS 5/2-105);

(iv) an economic disclosure statement disclosing all lobbying contacts on behalf of the vendor with respect to the Purchase; and

(v) any other certifications or affidavits required by the System Board or the Cook County Code of Ordinances.

(h) Include in Contracts for System Purchases the requirements of the Cook County Code of Ordinances as set forth below in Part III, County Ordinance Requirements, Section 3.1 (Living Wage) through Section 3.8 (Child Support Payments).

(i) Compile and maintain information for all Purchases, including those Purchases which do not require System Board approval. The Procurement Director shall submit a report to the System Board on a quarterly basis of the individual and total aggregate amount of all Purchases which do not require System Board approval, including a list of each vendor from whom the System makes such Purchases.

(j) The Procurement Director shall, as soon as practicable and to the greatest extent practicable, make available on the System's website information related to all Purchases, including, but not limited to, a list of System contracts and a list of contractors and subcontractors.

(k) Have charge of such other procurement activities as may be assigned from time to time.

Section 1.5. Electronic Procurement.

The Procurement Director shall implement a method of electronic procurement for the System, and shall have the authority to provide for electronic signatures.

Section 1.6. No Delegation of Power to Act for Certain Expenditures.

The System Board shall have no power or authority to delegate to any committee or person the "power to act" when such "power to act" shall involve a Purchase exceeding the limits set forth in Section 34-125 of the Cook County Code of Ordinances (No Delegation of Power to Act for

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Expenditure of \$100,000.00 or More), subject to the exceptions therein. Where such exceptions reference action by the County Board, it shall also include action by the System Board where applicable. Any action of the System Board, or of any committee thereof, or of any person in violation of this section shall be null and void.

Section 1.7. Purchases for a Period Exceeding One Year.

(a) System Purchases may be made for a period exceeding one year. Any such Purchase shall be a valid and binding obligation of the County.

(b) Any Contract for a System Purchase for a period to exceed one year must contain the following provisions:

(i) A statement that the Contract is subject to County Board approval of appropriations for the purpose of the subject Contract;

(ii) A statement that in the event funds are not appropriated by the County Board, the Contract shall be cancelled without penalty to, or further payment being required by, the System Board or the County;

(iii) A statement that the System Board's or County's obligation to perform shall cease immediately upon receipt of notice to the vendor of lack of appropriated funds; and

(iv) A statement that the System Board's or County's obligation under the Contract shall also be subject to immediate termination or cancellation at any time when there are not sufficient authorized funds available to meet such obligation.

(c) In the event the System Board determines that there is a lack of appropriated funds sufficient to fund a contract, the System Board shall have the discretion to reduce or terminate the contract.

(d) The Procurement Director shall give the vendor notice of a lack of appropriated funds sufficient to fund the contract as soon as practicable after the System Board becomes aware of the failure of funding.

Section 1.8. Contract Commencement and Expiration Dates.

The Procurement Director shall have authority to establish the commencement and expiration dates of any Contract as necessary to permit the Contract period to commence upon the date of execution of the Contract by the System unless another commencement date is specified in the Contract.

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PART II. PROCUREMENT PROCEDURES

Section 2.1. Procurement Procedures.

System Purchases shall be made by bid as set forth in Section 2.2, Bid Purchases; provided, however, that such Purchases may be made by one of the alternative purchase methods set forth below where such Purchases meet the criteria set forth in the applicable Section:

- Section 2.3. Open Market Purchases;
- Section 2.4. Requests for Proposals;
- Section 2.5. Purchasing Consortia;
- Section 2.6. Sole Source Purchases;
- Section 2.7. Comparable Government Bid; and
- Section 2.8. Emergency Purchases.

Section 2.2. Bid Purchases.

If a Purchase is to be made by means of a bid, the Procurement Director shall follow the procedures set forth below. The Procurement Director may develop additional procedures consistent with this Policy.

(a) Advertisement for bids.

The Procurement Director shall publish an advertisement at least once in a secular newspaper of general circulation within Cook County at least five (5) calendar days before the final date for the submission of bids and shall post a notice of the bid on the System's website as well as on a bulletin board at the System. The advertisement and posting shall include a general description of the Purchase and shall state where all bid documents and specifications may be obtained and the date, time and place for the submission of bids and the opening of the submitted bids. Subsequent to the advertisement and posting of the bid, the Procurement Director may also directly notify prospective bidders of the bid. The Procurement Director shall keep a record of all Persons who request a set of bid documents.

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(b) Development and approval of bid documents.

The Procurement Director shall prepare the bid documents which shall include, but not be limited to, a description of the Purchase, any minimum bidder qualifications, whether a pre-bid conference or site inspection is required, any conditions with which the successful bidder shall be required to comply, cost proposal information and any other information determined necessary by the Procurement Director to prepare and finalize the bid documents.

(c) Pre-bid conference or site inspection.

The Procurement Director shall include details of any pre-bid conference or site inspection in the bid documents. Any changes to the date, time or place of such conference or inspection will be communicated in writing or electronically, where appropriate, by means of an Addendum to all Persons recorded as having requested bid documents.

(d) Communications with the System regarding bids.

From the time the bid is advertised until the Person from whom a Purchase will be made has been determined, all communications from prospective bidders, Persons who requested the bid documents or bidders to the System or any of its staff must be directed in writing or electronically only to the Procurement Director. The bid documents shall specify that all requests for information or clarification of the bid must be directed in writing or electronically only to the Procurement Director; and must be received no later than five (5) business days prior to the date and time the bids are to be submitted. Upon receipt of such a request, the Procurement Director will determine if a response will be provided; and any such response shall be provided to all Persons who requested a set of bid documents. The Procurement Director will not consider inquiries made in any other manner or to anyone else. However, the above notwithstanding, communications may be made with the Procurement Director either orally or in writing for the purpose of complying with the provisions regarding minority and women owned business participation.

(e) Communication between bidders.

Until the Person from whom the Purchase will be made has been determined, no prospective bidder, Person who requested the bid documents or bidders shall communicate with any other

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such Person regarding the bid, with the sole exception of communications with a minority or women owned business enterprise to meet requirements of minority or women owned business enterprise goals as set forth in Part IV, Minority-And Women-Owned Business Enterprise, Section 4.1, of this Policy.

(f) Bids to conform to advertisement for bid.

(i) A bid shall be not considered where that bid (1) was submitted after the exact date and time for submission of bids specified in the advertisement for bids, except as may be extended in an Addendum; (2) was not accompanied by a required certified check, bid deposit, or bid bond; (3) was not accompanied by the affidavits, certifications or economic disclosure statements required to be submitted; or (4) fails to comply with the terms and conditions as stated in the advertisement for bids.

(ii) No bid may be changed, amended, or supplemented in any way after the exact date and time for submission of bids specified in the advertisement and posting for bids. No Purchase shall be made by the System from a bidder for a period of one year after the date of the bid opening where such bidder cancels or withdraws its bid after the bid opening. The Procurement Director shall notify the County's Purchasing Agent of any bidder who has been so disqualified by the System.

(g) Bid opening.

All bids shall be opened and recorded at the date, time and location as stated in the advertisement and posting for bid. The Procurement Director shall read and announce in public all bids before at least one witness and all who desire to attend. If only one bid has been submitted, the bid shall not be opened but shall be returned to the bidder via certified mail. The Procurement Director will thereafter determine whether to re-issue the bid or use a different method to make the Purchase. If it is determined that an error was made in announcing the bid or there was a failure to read all bids into the record, the Procurement Director shall notify all bidders and reconvene the bid opening to correct the record as soon as reasonably possible.

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(h) Evaluation of bids.

The Procurement Director shall evaluate the bid with the lowest price for compliance with the requirements set forth in the bid documents. In determining the lowest bid price, the Procurement Director shall consider the local business preference, as set forth in Part II, Procurement Procedures, Section 2.2, Bid Purchases, (i), *Local business preference*, of this Policy. In addition, the Procurement Director will determine if the bidder with the lowest price is a responsible bidder. If the bid being evaluated does not comply with the requirements in the bid documents or the bidder is deemed not responsible, the Procurement Director will evaluate the next lowest bid using this same criteria. The Procurement Director shall recommend that the Purchase be made from the lowest responsible bidder. Once a recommendation has been determined, the Procurement Director shall post a notice of such recommendation on the System's website and on a bulletin board at the System.

(i) Local business preference.

(i) For purposes of this section, the term "local business" means a Person, including a foreign corporation authorized to transact business in this State, having a bona fide establishment for transacting business located within the County at which it was actually transacting business on the date when an advertisement for bid is first published and which employs the majority of its regular, full-time work force within the County.

(ii) Notwithstanding the requirements set forth in Part II, Procurement Procedures, Section 2.2, Bid Purchases, (h), *Evaluation of bids*, the Procurement Director shall recommend the purchase be made from the lowest responsible local business; provided, however, that such bid does not exceed the lowest responsible bidder by more than two percent.

(j) Bid protest procedure.

Any bidder who believes that the recommended bidder is not the lowest responsible bidder, or who has a complaint about the bid process, may submit a bid protest, in writing, directed to the Procurement Director. Any bid protest must be submitted no later than three business days after the date upon which the notice of the Procurement Director's recommendation is posted. The bid

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protest must specify the basis upon which the recommendation is erroneous, or the basis upon which the bid procedure was unfair, including a statement of how the alleged error or unfairness prejudiced the protesting bidder. A bidder who could have submitted a request for clarification or information pursuant to Part II, Procurement Procedures, Section 2.2, Bid Purchases, (d), *Communications regarding bids*, above, but failed to do so, shall not be entitled to protest a bid on the basis of insufficient information or clarity.

(k) Bid protest decision.

When a bid protest has been submitted, no further action shall be taken on the bid until the Procurement Director makes a decision regarding the bid protest. The Procurement Director shall issue a written decision on the bid protest as soon as reasonably practicable. If the protest is upheld, the Procurement Director shall either re-bid the Purchase or recommend the lowest responsible bidder.

(l) Final action.

If the Purchase requires System Board approval, the Procurement Director's recommendation of the lowest responsible bidder shall be forwarded to the System Board for approval and execution. The Procurement Director shall ensure that all required documents have been properly completed and all due diligence is performed prior to forwarding the recommendation. If the Purchase does not require System Board approval, approval and execution shall be as provided in the procedures promulgated pursuant to this Policy.

(m) Right to reject bids reserved.

The System Board shall have the right to reject any and all bids. The Procurement Director is authorized to exercise this right on behalf of the System Board as set forth in the procedures promulgated pursuant to this Policy. The Procurement Director shall include a provision in the bid documents reserving the right to reject any and all bids.

Section 2.3. Open Market Purchases.

(a) Purchases, excluding Professional and Managerial Services, of \$750.00 or less may be made with petty cash pursuant to the System's policy regarding use of petty cash.

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(b) Purchases greater than \$750.00 and less than \$25,000.00 for Purchase of Professional and Managerial Services, and greater than \$750.00 and less than \$100,000.00 for other Purchases may be made through the solicitation of price quotations on the open market and approved pursuant to Part II, Purchases, of this Policy. The Procurement Director shall develop forms and procedures to implement these open market Purchases which shall include, but not be limited to, provisions regarding the criteria for such Purchases. Whenever practical, such open market Purchases must be based on at least three informal price quotations.

Section 2.4. Requests for Proposals.

(a) Criteria for use of requests for proposals.

The Procurement Director may determine that it is in the best interest of the System to make a Purchase by a request for proposal ("RFP") because such Purchase is not readily adaptable to bid. Examples include, but are not limited to: Purchases involving services requiring a high degree of professional skill where the ability or fitness of the Person plays an important part; Purchases where it is not in the best interest of the System to make price a primary determinative factor; Purchases involving both goods and service components; Purchases of utility services such as water, electricity, gas, telephone, or electronic communications; and Purchases of magazines, books, periodicals, and similar articles of an educational or instructional nature, and the binding of such magazines, books, periodicals, pamphlets, reports, and similar articles.

(b) Content of RFPs.

The Procurement Director shall determine the form and content of the RFP including, but not limited to, the scope and specifications/special conditions, general conditions, proposer questionnaire, cost proposal form and the evaluation procedures. RFPs shall include a provision stating that the RFP may result in the negotiation of a Purchase with one or more proposers selected as the result of an evaluation process which includes the simultaneous consideration of multiple evaluation factors.

(c) Issuance.

The Procurement Director shall post a notice of the RFP on the System's website as well as on a bulletin board at the System, which shall include a general description of the Purchase, and shall

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state where the RFP documents may be obtained. Subsequent to the posting of the RFP, the Procurement Director may also directly notify prospective proposers of the RFP. The Procurement Director may also request that the County's Office of the Purchasing Agent post the RFP on its website.

(d) Opening of Proposals.

The proposals shall be opened in the presence of one or more witnesses after the designated date and time for submission. The names of the proposers shall be open for public inspection after the Purchase has been completed.

(e) Evaluation and Selection for Contract Negotiation.

(i) The RFP shall include the factors to be used in evaluating proposals. These factors may include, but are not limited to, price, experience and qualifications of the proposer, the quality and cost effectiveness of the proposal, and the demonstrated willingness and ability of the proposer to satisfy the requirements of the System as described in the RFP. The Procurement Director shall oversee the evaluation of the proposals which may include participation of representatives from the appropriate System Affiliate(s). The contents of the proposals shall not be disclosed to competing proposers during the evaluation process.

(ii) The purpose of the evaluation is to identify one or more proposers for further discussion. As provided in the RFP, further discussions may be conducted with any or all proposers for the purpose of clarifying and assuring a full understanding of and responsiveness to the System's requirements. Proposers identified for further discussion shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. If information is disclosed by the System to any proposer, it shall be provided to all proposers still under consideration. After these discussions, any or all of the proposers may be requested to submit revisions to their proposals for the purpose of obtaining best and final proposals. During discussions, there shall be no disclosure of any confidential information derived from proposals submitted by

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competing proposers. The Procurement Director shall document the results of the evaluation including the reasons for selection of the proposer(s) for contract negotiations.

(f) Contract Negotiation and Approval/Execution.

The Procurement Director shall oversee the negotiation of a Contract(s) with the proposer(s) identified following the evaluation. Upon completion of the negotiation of the Contract(s), the Contract(s) shall be submitted for approval and execution as provided in Part II, Purchases, of this Policy.

Section 2.5. Purchasing Consortia.

Purchases may be made pursuant to the System's membership in a purchasing consortium, provided that the System Board has approved the System's membership in such purchasing consortium for, at least in part, the purpose of obtaining advantageous pricing and other efficiencies for the System. If the consortium is a group purchasing organization ("GPO"), selection of the GPO shall be pursuant to the issuance of a request for proposal which shall detail the types of goods to be purchased through the GPO. Purchases made through a purchasing consortium shall be approved and executed as set forth in Part II, Purchases, of this Policy.

Section 2.6. Sole Source Purchases.

Purchases may be made without use of one of the competitive selection methods set forth in this Policy such as when the Purchase requires a Person with a specialized skill or service or there is only one feasible source for the item or service. Sole source Purchases shall be approved and executed as set forth in Part II, Purchases, of this Policy.

Section 2.7. Comparable Government Bid.

If a governmental agency similar in size or larger than Cook County has awarded a bid for the purchase of the same or similar supplies, materials, equipment or services as those sought by the System, the Procurement Director, in his or her discretion, is authorized to recommend the Purchase of such supplies, materials, equipment or services from that vendor at the awarded bid price without having to issue a bid or request for proposal. The Procurement Director's recommendation for a Purchase from a vendor of a comparable government bid shall be approved and executed as set forth in Part II, Purchases, of this Policy.

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Section 2.8. Emergency Purchases.

The Chief Executive Officer or his or her designee may make emergency Purchases without use of one of the selection methods set forth in this Policy and without prior approval of the System Board when there exists a threat to public health or public safety, or when an immediate Purchase is necessary for repairs to System property in order to protect against further loss or damage, to prevent or minimize serious disruption in System services, or to ensure the integrity of System records. If practicable under the circumstances, the CEO or his or her designee shall secure quotations from multiple vendors for an emergency Purchase. The CEO or his or her designee shall report the basis for the emergency and reasons for the selection of the particular vendor to the Chair of the System Board and the Chair of the System Board's Finance Committee within five (5) business days of making an emergency Purchase. This information shall also be reported to the System Board's Finance Committee no later than at its next regularly scheduled meeting.

Section 2.9. Purchase of Government Property/Services.

(a) The Procurement Director is expressly authorized to procure from any Federal, State or local government unit or agency thereof such surplus materials, supplies, commodities, or equipment as may be made available through the operation of any legislation heretofore or hereinafter enacted. Purchases of surplus government property shall be approved and executed as set forth in Part II, Purchases, of this Policy.

(b) The System may contract with other units of government to obtain services. Each such Contract shall be reviewed separately by the System Board, regardless of the amount involved, and shall be submitted to the State's Attorney for approval as to form.

Section 2.10. Contracts for Consulting and Auditing Services.

(a) The System will not knowingly enter into any Contract for auditing services, nor shall it consent to a subcontract for such auditing services, with any Person, if such Person, or any affiliate of such Person, has a contract or subcontract for consulting services for or with the System or the County. Additionally, the System will not knowingly enter into any contract for consulting services, nor shall it consent to a subcontract for such consulting services, with any

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Person, if such Person, or any affiliate of such Person, has a contract or subcontract for auditing services for or with the System or the County.

(b) The terms used in this Section 2.10, Contracts for Consulting and Auditing Services, shall have the meanings set forth below for the purposes of this Section only:

Affiliate means any Person that controls or is controlled by another Person, by shareholdings, membership, ownership or other means of control or power including, but not limited to, a subsidiary, parent or sibling corporation. The term "affiliate" also includes any Person that directly or indirectly controls or is under common control with the specified Person. A Person shall be deemed to control if such Person has the power to directly or indirectly affect the management or the policies of the other through ownership of voting securities or voting rights, by contract or otherwise.

Auditing services means the formal examination of accounting records, financial statements or compliance with some other set of financial standards in accordance with auditing standards generally accepted in the United States which functions are generally exclusively performed or supervised by individuals or business organizations licensed and authorized to do business as public accountants in the State. The term "auditing services" shall also include any independent reports and management recommendations derived or resulting from the performance of auditing services and which reports and recommendations are included within the scope of the contract for auditing services.

Consulting services means the rendering of analysis and advice requiring specialized expertise in a particular subject area or field. Such expertise may have been gained by education or experience in the area or field. The term "consulting services" expressly excludes auditing services.

(c) The Procurement Director shall require that an auditing or consulting services vendor provide certification in a form acceptable to the Procurement Director that neither the vendor nor any affiliate of the vendor has a contract or a subcontract to provide consulting or auditing services for the System or the County which is prohibited under Subsection (a) of this Section.

(d) The Procurement Director shall notify the Cook County Purchasing Agent of any System Contracts for auditing or consulting services.

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Section 2.11. Purchase of Construction Services.

Transactions valued at \$100,000.00 or greater involving real property shall require express approval of the County Board. All System Purchases for construction shall comply with Section 34-157 (Percentage of work of construction projects to be performed by County residents), Section 34-158 (Preference to citizens on public works projects) and Section 34-159 (Responsible Bidder) of the Cook County Code of Ordinances.

PART III. COUNTY ORDINANCE REQUIREMENTS

The Procurement Director shall ensure that all Purchases are subject to the following requirements as set forth in the Cook County Code of Ordinances.

Section 3.1. Living Wage.

All System Purchases shall comply with the requirements set forth in Section 34-127 (Living Wage) of the Cook County Code of Ordinances. The Procurement Director shall comply with any requirements therein imposed upon the County's Purchasing Agent. The Procurement Director shall also coordinate with the Cook County Chief Financial Officer and Cook County Purchasing Agent to enable them to carry out the provisions of Section 34-127 with regard to System Purchases.

Section 3.2. Prevailing Wage.

All System Purchases shall comply with Sec. 34-128 (Prevailing Wage) of the Cook County Code of Ordinances. The Procurement Director shall comply with any requirements therein imposed upon the County's Purchasing Agent.

Section 3.3. Penalties for Failure to Pay Cook County Taxes and Fees.

All System Purchases shall comply with Sec. 34-130 (Penalties for failure to pay Cook County taxes and fees) of the Cook County Code of Ordinances. The Procurement Director shall comply with any requirements therein imposed upon the County's Purchasing Agent.

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Section 3.4. Contracts with Businesses in Northern Ireland (MacBride Principles).

All System Purchases shall comply with Sec. 34-132 (Contracts with businesses in Northern Ireland) of the Cook County Code of Ordinances. The Procurement Director shall comply with any requirements therein imposed upon the County's Purchasing Agent.

Section 3.5. Recycled Products.

All System Purchases shall comply with and Section 34-241 through Section 34-251 of the Cook County Code of Ordinances. For the purpose of this Policy, in applying Section 34-241 through Section 34-251, (Recycled Products), the term "County" shall mean "System" and the term "Purchasing Agent" shall mean "Procurement Director."

Section 3.6. Predatory Lenders.

All System Purchases shall comply with the requirements set forth in Section 34-340 through Section 34-343 (Predatory Lenders) of the Cook County Code of Ordinances. The Procurement Director shall coordinate with the Cook County Chief Financial Officer to enable him or her to carry out the provisions of Section 34-340 through Section 34-343, with regard to System Purchases.

Section 3.7. Re-Entry Employment/Bid Incentive.

All System Purchases shall comply with Section 34-349 through Section 34-358 (Re-Entry Employment/Bid Incentive Ordinance), of the Cook County Code of Ordinances. The Procurement Director shall comply with any requirements therein imposed upon the County's Purchasing Agent or the Office of Purchasing Agent, other than those imposed in Section 34-352(c). The Procurement Director shall cooperate with the Director of the County's Office of Contract Compliance in carrying out the purposes of Sections 34-349 through 34-358 of the Cook County Code of Ordinances. For purposes of this Policy, the term "Contract" as used in Section 34-349 through 34-358 shall have the meaning ascribed as set forth in Part I, General Provisions, Section 1.1, Definitions, of this Policy and the term "Using Department" shall mean the System.

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Section 3.8. Child Support Payments.

All System Purchases shall comply with Section 34-366 through Section 34-370 (Child Support Payments) of the Cook County Code of Ordinances.

PART IV. MINORITY-AND WOMEN-OWNED BUSINESS ENTERPRISES

Section 4.1. Minority-And Women-Owned Business Enterprises.

The System Board is committed to the County's policy to promote equal opportunity in its procurement process, as well as to the County's goal that Protected Class Enterprises shall participate in not less than 35 percent of the annual aggregate value of all contracts awarded by the System. All System Purchases shall comply with Sec. 34-275 through Sec. 34-285 (Cook County Minority and Women Owned Business Enterprise) of the Cook County Code of Ordinances; provided, however, that the Procurement Director shall have the duties and responsibilities imposed therein upon the County's Purchasing Agent and the Contract Compliance Administrator or Office of Contract Compliance; and that the System Board shall have the powers and duties of the County Board, with the exception of the responsibilities of the County Board's Contract Compliance Committee as established in Sec. 34-278 (Staffing and Responsibilities for Affirmative Action) of the Cook County Code of Ordinances.

PART V. DISQUALIFICATION

All System Purchases shall comply with Division 4 (Disqualification Of Contractors And Penalties) of the Cook County Code of Ordinances, except for Section 34-215 (Disqualification due to a prior default or termination) which is the subject matter of Part V, Disqualification, Section 5.1, Disqualification Due to a Prior Default or Termination, of this Policy.

Section 5.1. Disqualification Due to a Prior Default or Termination.

(a) No Person who has had an awarded Contract terminated for cause by the System Board or the County Board shall be awarded a Contract or subcontract by the System. The period of ineligibility shall continue for 24 months from the date the System Board or County Board terminates the Contract.

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(b) Where the System Board has terminated a Contract for cause, the Person(s) may apply to the System Board for a reduction or waiver of the ineligibility period. The application shall be in writing and shall include documentation that one or all of the following conditions have occurred:

- (i) There has been a bona fide change in ownership or control;
- (ii) Disciplinary action has been taken against the individual(s) responsible for the acts giving rise to the ineligibility;
- (iii) Remedial action has been taken to prevent a recurrence of the acts giving rise to the ineligibility; or
- (iv) The System Board determines that the conduct of the Person(s) does not constitute a pattern of behavior.

(c) At the request of the Chief Executive Officer, the System Board may suspend the ineligibility of a Person in order to allow for the award of a Contract. The CEO shall provide sufficient facts to establish that the public health, safety or welfare of the System requires the goods or services and that purchase of the goods or services at a comparable price and quality from other sources is not feasible. In the event the System Board grants a suspension, the period of ineligibility for the award of a new Contract shall recommence from the date of completion of the Contract awarded pursuant to the suspension of the ineligibility period, and shall continue for the remainder of the 24-month period of ineligibility.

(d) The System Board's decision to reduce or waive the period of ineligibility, or to suspend ineligibility for a specific Contract, shall be reduced to writing and shall specify the reasons for the decision.

(e) In addition to the ineligibility provided in this Section, the Procurement Director may reject a specific bid or proposal, or a subcontractor proposed to be used in connection with that bid or proposal, submitted by any Person who or which is in arrears upon any debt to the System or the County or is in default of any Contract with the System or the County, or is a defaulter, as surety or otherwise, upon any obligation to the System or the County, or is otherwise prohibited by law or Ordinance from entering into the Contract. In addition, the Procurement Director may reject a bid or proposal, or a subcontractor proposed to be used in connection with that bid or proposal,

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submitted by any Person deemed unqualified due to insufficient or unsatisfactory history of creditworthiness or experience in performing other contracts, including those involving the types of responsibilities required under the Contract. The Procurement Director shall document the reasons for such rejection.

Section 5.2. Disqualification for Tax and Fee Delinquency.

(a) No Purchases shall be made from a Person delinquent in the payment of any tax (including real estate tax) or fee administered by the County, a local municipality, or the Illinois Department of Revenue.

(b) Prior to making a Purchase in excess of \$25,000.00, the Procurement Director shall obtain a written certification from the vendor that there is no delinquency in the payment of any such tax or fee. The content of such certification shall be as provided in the procedures promulgated pursuant to this Policy.

(c) The System shall not be prohibited from making a Purchase: from a Person who is contesting liability for the amount of the delinquency in a pending administrative or judicial proceeding, and shows proof of the contest; from a Person who has entered into an agreement with the County, municipality, or Illinois Department of Revenue, for the payment of all delinquency owed and verifies compliance with the agreement; or if the Procurement Director certifies in writing to the System Board that it is in the interest of the public health, safety, or welfare of the System to enter into such Purchase and that the System is unable to secure a Purchase that is comparable in terms of price, quality, or quantity.

Section 5.3. Disqualification for Noncompliance with Child Support Orders.

All System Purchases shall comply with Sec. 34-131 (Disqualification for noncompliance with child support orders) of the Cook County Code of Ordinances. The Procurement Director shall comply with any requirements therein imposed upon the County's Purchasing Agent.

Section 5.4. Disqualification for Withdrawal of Bid After Bid Opening.

No Purchase shall be made by the System from a bidder for a period of one year after the date of the bid opening where such bidder cancels or withdraws its bid after the bid opening. The

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Procurement Director shall notify the County's Purchasing Agent of any bidder who has been so disqualified by the System.

Section 5.5. Notice to Cook County Purchasing Agent.

(a) When information comes to the attention of the Procurement Director that a Person has been convicted, made an admission of guilt or a plea of nolo contendere or otherwise falls within Section 34-213 (1) through (8) (Persons and Entities Subject to Disqualification) of the Cook County Code of Ordinances; has violated Section 34-216 (Offering gift to induce others not to bid; bribe offer to government employee; willful violation) of the County Inspector General Ordinance); or has been disqualified by the System, the Procurement Director shall provide notice to the County Purchasing Agent of such information for further proceedings by the County Purchasing Agent as set forth in Section 34-217 (Disqualification Procedures) of the Cook County Code of Ordinances.

(b) The Procurement Director shall regularly communicate with the Cook County Purchasing Agent to determine if any Person(s) is disqualified pursuant to the Cook County Code of Ordinances.

Section 5.6. Disqualification of Owner, Partner or Shareholder.

Where a Person is disqualified under Part V, Disqualification, of this Policy any owner, partner, or shareholder of that disqualified Person who controls, directly or indirectly, 20 percent or more of the disqualified Person, or is an officer of the disqualified Person, is also disqualified from being awarded a contract or subcontract as provided in this Part V. If any of the Persons disqualified pursuant to this Section 5.6 is also the owner, partner, or shareholder controlling 20 percent or more of another Person, that other Person will also be disqualified for a like period of time from being awarded a contract or subcontract as provided in this Part V.

PART VI. INTEGRITY IN THE PROCUREMENT PROCESS

Section 6.1 Reporting Potential Irregularities.

The System Board encourages any Person, including employees, to report any potential irregularities in the System's procurement process to the System's Compliance Officer or the Office of the Cook County Independent Inspector General. In addition to any applicable laws

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protecting whistleblowers, the System shall ensure that a report made in good faith will not result in any adverse action taken by the System against the Person making such a report. The Procurement Director's procedures will include a mechanism to publish this provision to all appropriate employees and Persons.

Section 6.2. Communications.

For all Purchases, the Procurement Director shall establish procedures to ensure that communications from individuals outside the System regarding a Purchase shall be memorialized and maintained in the procurement file. Communications about a Purchase from or on behalf of a System Director or elected official shall also be memorialized and maintained in the procurement file.

Section 6.3. Soliciting Charitable Contributions.

No Director of the System Board, directly, or through someone acting on his or her behalf, shall knowingly solicit a charitable contribution from a vendor who currently has or is seeking a contract with the System, unless such solicitation is on behalf of a charity created by the System or for the benefit of the System.

Section 6.4. Code of Ethics of the Cook County Code of Ordinances.

The following relevant provisions of the Code of Ethics of the Cook County Code of Ordinances are among those Code provisions that apply to System Purchases:

(a) Limitations of contributions to candidates and elected officials.

“(a) No person who has done business with the County within the preceding four years or is seeking to do business with the County or is a lobbyist registered with the County shall make contributions in an aggregate amount exceeding \$1,500.00:

- (1) To any candidate for County office or elected County official during a single candidacy; or
- (2) To an elected official of the government of the County during any nonelection year of his or her term.

The combined effect of these provisions is intended to permit total contribution up to but not exceeding \$3,000.00 in a year in which a

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candidacy occurs. A year for purposes of this section is from January 1 to December 31 of each year.

(b) For purposes of Subsection (a) of this section, an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates shall be considered a single person. However, nothing in this provision shall be construed to prohibit such an employee, officer, director or partner from making a political contribution for which he is not reimbursed by a person with whom he or she is affiliated, even if that person has made the maximum contribution allowed under Subsection (a) of this section.

(c) Any contributions made under this section shall be reported as required by the Election Code, 10 ILCS 5/1-1 et seq.

(d) For purposes of Subsection (a) of this section, "done business" or "doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the County or any County agency in excess of \$10,000.00 in any 12-consecutive months. "Done business" or "doing business" also means representation involving real property assessments, property tax appeals, zoning matters, and property tax incentives, the total fees of which earned or accrued by a person exceed \$10,000.00 in any 12 consecutive months during the previous four years. . . .

(f) For purposes of Subsection (a) of this section, "seeking to do business" means taking action within the past six months to obtain a contract or business with the County when, if such action were successful, it would result in the person doing business with the County as defined in Subsection (d) of this section."

(b) Interest in County business.

"(a) No elected official or employee shall have a financial interest in his or her own name or in the name of any other person in any contract, work or

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business of the County or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the County. Compensation for property taken pursuant to the County's eminent domain power shall not constitute a financial interest within the meaning of this section. Unless sold pursuant to a process of competitive bidding following public notice, no elected official or employee shall have a financial interest in the purchase of any property that:

- (1) Belongs to the County;
- (2) Is sold for taxes or assessments; or
- (3) Is sold by virtue of legal process at the suit of the County.
- (b) No appointed official shall engage in a transaction described in Subsection (a) of this section unless the matter is wholly unrelated to the appointed official's County duties and responsibilities.
- (c) For purposes of this section, the term "financial interest" shall not include the interest of the spouse of an official or employee which interest is related to the independent occupation, profession or employment of the spouse."

PART VII. MISCELLANEOUS

Section 7.1. Amendments to this Policy.

Any change to this Policy requires the approval of the System Board.

Section 7.2. Effective Date; Implementation Transition.

This Policy shall be effective upon the approval of the System Board. This notwithstanding, in order to provide for an orderly transition of responsibilities from the County's Purchasing Agent and the Office of Contract Compliance to the System and the System's Procurement Director, the provisions of this Policy will be implemented, in whole or in part, at the direction of the Chief Executive Officer when in his or her discretion the System has the capability to undertake the specific powers and responsibilities set forth herein.

Proposed Cook County Health and Hospitals System
Procurement Policy

April 11, 2009

Section 7.3. Article IV, Procurement and Contracts, of the Cook County Code of Ordinances.

This Policy refers to compliance with certain requirements set forth in Article IV, Procurement and Contracts, of the Cook County Code of Ordinances. This Ordinance is available online at <http://www.municode.com/Resources/gateway.asp?pid=13805&sid=13>.

END OF PROCUREMENT POLICY